

**PUBLIC MEETING  
FEBRUARY 2, 2012  
MINUTES**

The Lewis and Clark County Commissioners Public Meeting was held on Thursday, February 2, 2012, at 9 a.m. in Commission Chambers Room 330 of the City-County Building, 316 North Park Avenue, Helena, Montana.

Chairman Andy Hunthausen called the meeting to order at 9 a.m. Commissioners Mike Murray and Derek Brown were present. Others attending all or a portion of the meeting included Eric Bryson, Katie Jerstad, Greg McNally, Kyle Thomas, Carrie Severson, Marni Bentley, Keith Hatch, Gretchen Crum, Ron Bartsch, Ross & Nancy Runzheimer, Delvin & Bonnie Gebhardt, Jeff Claassen, Mark Simonich, and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. (Eric Bryson)

- a. Vendor Claims Report for the Week of January 30, 2012. (Marni Bentley)
- b. Task Order 12-07-4-51-009-0 to Lewis & Clark City-County Unified Govt. Master Contract Covering 7/1/05-6/30/12 Between MT DPHHS and Lewis & Clark City-County Health Dept. for HIV Prevention Services in the Amount of \$13,459.50. (Mike Henderson)

Eric Bryson reported on the consent action items and recommended approval.

No public comment was received.

Commissioner Murray moved to approve the consent action items and authorized the Chair to sign where appropriate. Commissioner Brown seconded the motion. The motion carried 3-0.

Bid Opening. Lewis & Clark County Fairgrounds New Entry Gate.

Keith Hatch reported that the Fairgrounds Foundation took on this project for a new entry gate to the Fairgrounds with a LED reader board and 12 illuminated sponsor boards on the front and the back. The method of payment for was an internal loan from the county. The Foundation has sold sponsor signs to reimburse the county.

Gretchen Crum, Project Manager with Mosaic Architecture, assisted with opening five bid packets. Alternate #1 was demolition of the existing entry gate structure.

**Wadsworth Builders**, Great Falls. Bid bond in the amount of 10 percent was included. Base bid, \$190,202. Alternate #1, \$6,763.

**Diamond Construction**, Helena. Bid bond in the amount of 10 percent was included. Base bid, \$168,900. Alternate #1, \$4,990.

**Yak and Abe Construction**, Helena. Bid bond in the amount of 10 percent was included. Base bid, \$155,340. Alternate #1, \$4,500.

**Northside Welding and Fabrication**, Helena. Bid bond in the amount of 10 percent was included. Base bid, \$174,988.63. Alternate #1, \$6,795.64.

**Golden Eagle Construction**, Helena. Bid bond in the amount of 10 percent was included. Base bid, \$144,960. Alternate #1, \$3,455.

Commissioner Murray moved that the Fairgrounds staff and consultants take the bids under advisement and make a recommendation at next Thursday's meeting. Commissioner Brown seconded the motion. The motion carried 3-0.

Resolution 2012-15. York Delineation – HSIP 280-1(24)14 Construction Agreement Between Lewis & Clark County and Montana Dept. of Transportation for Signing Improvements on York Road. (Kyle Thomas)

Kyle Thomas reported that the construction agreement would provide signage on York Road that extends from the east end of the bridge that crosses Hauser Lake up to Jim Town Road. The Montana Department of Transportation will be covering all the costs of the project.

No public comment was received.

Commissioner Brown moved to approve the Resolution Construction Agreement and authorized the Chair to sign where appropriate. Commissioner Murray seconded the motion. The motion carried 3-0.

Resolution 2012-16. A Resolution to Establish, Open and Abandon a Portion of the Timber Trail Drive as a County Road Easement. (Carrie Severson)

Carrie Severson provided a general map of the area. The preliminary approval for granting the request of the petition was granted on April 7, 2011 and was based upon 10 conditions of approval in order to mitigate impacts in the area. The new location of the road was shown on the overhead. The road now has less curvature. Some landscaping was done and drainage issues were taken care of. The existing road was not a county road; the underlying landowners are dedicating it as a county road. The 10 conditions were reviewed and have been fulfilled. A retracement survey will be filed after the resolution has been passed. There is a dedicated 60-foot-wide county road easement as well as underground utility easement. The old road portion will remain a 60-foot-wide underground utility easement. Both have been identified on the face of the plat. Staff recommended that the county move forward with the resolution.

No public comment was received.

Commissioner Brown moved to approve the resolution. Commissioner Murray seconded the motion. The motion carried 3-0.

Proposed Modifications to Conditions of Approval for H.W. Smith, Lot A-1A Amended (a.k.a. Heron Creek Subdivision) and Variance Requests from the Following Subdivision Regulations: XI.F.9, XI.H.1 and XI.Q. (Applicant: Ron Bartsch) (Planner: Greg McNally) (Tabled from 1/24/12) Decision.

Greg McNally presented the staff report. The proposed modification request for this subdivision included a request to add conditions related to the improvements to Eames Lane to allow the preliminarily approved subdivision to be platted in a phasing plan, and to create 44 individual, single-family lots that was preliminarily approved originally for condominiums, 44 condominium units.

Three variance requests were reviewed: (1) to allow double-fronted lots. There are two double-fronted lots in this proposal, 65 and 44; (2) to allow for deviations in the Typical Section 2, Road Design in Phase 2. The deviations were to allow a 6-inch road ditch versus standard typical section road ditch and the standard for the road curvature; (3) to allow for the elimination of the requirements of side-yard utility easements on 14 of the proposed lots within Phase 2.

The Commission received a letter dated January 31 from the Helena Valley Irrigation District dealing with positives and negatives of a pipe versus a ditch on the property. The letter was incorporated into the public record.

Discussion on reopening the public hearing to bring in new information. By consensus the board reopened the hearing and the public will be notified.

Financial guarantees and improvements to Eames Lane and Keir Lane were discussed. Mr. Bartsch stated he would provide the infrastructure necessary from a gravel standard to a paving standard. The commissioners would like a more descriptive standard. His intent was to not improve Keir Lane beyond its current condition.

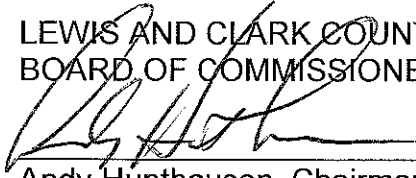
Discussion on the trail system, fire mitigation, and ephemeral drainages. Staff noted that ephemeral drainage has been identified on this property in the previous preliminarily approved in 2007.


Ron Bartsch stated he was in agreement with the conditions that were not discussed today.


Public comment on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

There was no other business, the meeting adjourned at 10:47 a.m.


LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

  
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Andy Hunthausen, Chairman

  
\_\_\_\_\_  
Michael A. Murray

  
\_\_\_\_\_  
Derek Brown

ATTEST:

  
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Paulette DeHart, Clerk of the Board